

How was the weather? A. The day we loaded it sleeted pretty hard, right smart of sleet on the ground, but not quite as cold as it had been.

How was the river? A. Pretty bad; frozen across below and above the ford.

Was water running over the ice? A. I don't know whether they crossed the ford or not; they had crossed before I got there. I think they crossed below the ford.

What was the character of the roads from Spruce Pine to the top of the mountain? A. Moderately good; the roads were hard.

Did you or did you not come along with the convicts? A. I did not overtake them until they crossed the mountains, this side of the mountains.

Were they at dinner when you were there? A. They were fixing to go to dinner.

What kind of dinner was served? A. I noticed a good deal of coffee.

How many were in the squad? A. Something over a hundred.

Do you know whether or not any of those men did not get any dinner? A. None except that some of them said to me as they passed. There was some four or five fellows who said: "Ain't you the fellow hauling our rations?" He said: "I ain't had any meat." They had a bucket of coffee.

Where did you commence to strike mud, if you struck any? A. Near the mountain.

How far from that point to Marion? A. About thirteen miles.

What was the character of the road that day? A. Sloppy, muddy condition.

How deep was the mud? A. From four to six inches in some places; frozen in most of the places.

Do you know whether or not any of the convicts were forced to wade any stream on that day? A. No, sir, I do not.